

REMARKS/ARGUMENTS

Applicant has received the Office Action dated July 24, 2008, in which the Examiner: 1) allowed claims 9-14; 2) objected to claims 2-8 and 27 as being dependent upon a rejected base claim, but otherwise allowability; 3) rejected claims 18, 22 and 23 under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter; 4) rejected claims 1, 15-17 and 28-30 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Zhang et al. (*K-Harmonic Means – A Data Clustering Algorithm*) in view of Arning (U.S. Pub. No. 2003/0145000); 5) again rejected claims 18-22, 25 and 26 as being obvious over Zaki (*Workshop report: large-scale parallel KDD systems*) in view of Zhang and Arning; and 6) again rejected claim 24 as obvious over Zaki in view of Zhang. With this Response, Applicant has amended claims 1, 15, 18, 24 and 28 and canceled claims 2 and 23, 25-27.

I. THE § 101 REJECTIONS

Claim 18 includes a “means plus function” limitation. By statute (35 U.S.C. § 112, sixth paragraph), a limitation written as a means for performing a stated function without reciting the structure for performing that function is interpreted as including the structure provided in the specification for performing the claimed function. Structure (e.g., a processor) is clearly recited in Applicant’s specification for performing the claimed function. Thus, claim 18 and its dependent claim 22 comply with § 101.

II. THE ART REJECTIONS

Claim 1 has been amended to include the subject matter of claim 2 which the Examiner concluded was allowable. Thus, claim 1 and its dependent claims are all in condition for allowance.

Similar amendments have been made to independent claims 15, 18, and 24 as well. Thus, those claims and their dependent claims are in condition for allowance was well.

Appl. No. 10/694,367
Amdt. dated October 24, 2008
Reply to Office Action of July 24, 2008

CONCLUSION

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

/Jonathan M. Harris/

Jonathan M. Harris
PTO Reg. No. 44,144
CONLEY ROSE, P.C.
(713) 238-8000 (Phone)
(713) 238-8008 (Fax)
ATTORNEY FOR APPLICANT

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
Legal Dept., M/S 35
P.O. Box 272400
Fort Collins, CO 80527-2400